

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**Criminal No: 1:18-02945-WJ**

HUJRAH WAHHAJ,

Defendant.

**DEFENDANT HUJRAH WAHHAJ'S  
SECOND OBJECTIONS TO PRESENTENCE INVESTIGATION REPORT**

Defendant HUJRAH WAHHAJ objects to Paragraphs 8, 15, 19, 20, 28 and 31, of the Presentence Investigation Report ("PSR") [Doc 1096] because they incorrectly state the facts and/or the evidence presented at trial. In support of these Objections, the Defendant STATES:

1. The PSR in this matter was disclosed on January 31, 2024. [Doc 1096].
2. Ms. Wahhaj filed her first set of Objections on February 16, 2024. [Doc 1115].
3. Since that time, Ms. Wahhaj informed counsel she has additional Objections, as more fully described herein.
4. Paragraph 8
  - a. The PSR initially read: "Siraj and Hujrah then traveled to London, England to learn how to perform a ruqya..."
  - b. In her first Objections, Ms. Wahhaj's counsel erroneously indicated that the PSR should read: "Siraj and Hujrah then traveled to London, England to learn how to recognize spiritual degradation and to have ruqya performed on them to rectify this spiritual degradation..."

- c. Instead, it should read: “Siraj and Hujrah then traveled to London, England to have ruqya performed on them...”
- d. This is an accurate description of their trip.

5. Paragraph 8

- a. The PSR reads: “... recite suras (verses) from the Quran as part of a ruqyah, roughly translated as “exorcism.””
- b. The phrase “roughly translated as “exorcism” should be omitted as it is not an accurate translation.

6. Paragraph 15

- a. The PSR currently reads: “... subjected him to an exhausting regimen of spiritual exorcisms or religious rituals ...”
- b. The PSR should read: ““... subjected him to ruqya.”
  - i. This was the evidence at trial.

7. Paragraph 19

- a. The PSR currently reads: “... probably from a seizure; lack of medication that greatly increased his likelihood of experiencing cardiac and/or breathing problems; and/or the stress of repeated lengthy religious rituals or spiritual exorcisms to “cast the demons from his body.””
- b. The PSR should read: ““... and Government witnesses testified that the cause of death was probably from a seizure; lack of medication that greatly increased his likelihood of experiencing cardiac and/or breathing problems; and/or the stress of repeated lengthy religious rituals or spiritual exorcisms to “cast the demons from his body.”””

- i. This is because, as written, the paragraph does not reveal the source of this dubious conclusion.

8. Paragraph 20

- a. The PSR currently reads: “It should also be noted, a letter sent from Siraj’s stepmother to Michael in January 2018 allegedly indicated Jany was trying to recruit others to their group and that Jany had recently visited an Islamic camp.”
- b. This sentence should be omitted because it was unsupported by any evidence presented at trial.

9. Paragraph 28

- a. Ms. Wahhaj objects to this entire paragraph because it is an unnecessary post-hoc editorial summary that is both inaccurate and unsupported by evidence.

10. Paragraph 31

- a. The PSR currently reads: “They believed the medications being given to Abdul-Ghani were harmful to him, even though the medications were needed to help prevent his seizures.”
- b. This sentence should be omitted because there is no evidence that supports the notion that Hujrah Wahhaj believed this to be true.

Conclusion

In consideration of the foregoing, Hujrah Wahhaj respectfully requests that this Court direct United States Probation to modify the provisions of her PSR in accordance with language described above, and for such other relief the Court deems necessary and proper.

Respectfully Submitted,

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*Attorneys for Hujrah Wahhaj*

I HEREBY CERTIFY that on the 27th day of February, 2024, I filed the foregoing electronically through the CM/ECF system, which caused all counsel and U.S. Probation to be served by electronic means, as more fully reflected on the Notice of Electronic Filing:

/s/Donald F. Kochersberger III  
Donald F. Kochersberger III  
*Attorney for Defendant Hujrah Wahhaj*